## **RULE 7.1 CERTIFICATION**

I, Donnalyn B. Lynch Kahn, hereby certify that I have conferred with counsel for the Plaintiff by phone, that we attempted in good faith to resolve or narrow the issues in the instant motion and were unable to resolve the same.

/<u>s/DBLK</u> Donnalyn B. Lynch Kahn

Dated: September 15, 2006